



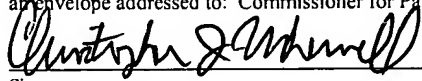
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: pending Patent Application : Docket No. 120303
of: :
Basil B. Tilling, et al. : Group Art Unit: 3753
Serial No. 10/727,279 :
Filing Date 12/03/2003 : Examiner: unk.
For: "Fuel Transfer Coupling" : October 5, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313 on October 5, 2004.


Signature

10/5/04
Date

Petition under 37 C.F.R. 1.53(e)

Applicants hereof acknowledge receipt of a "Notice of Omitted Items In a Non-provisional Application" dated 09/15/04. The Applicants herewith petition the Commissioner of Patents and Trademarks under 37 CFR § 1.53(e), respectfully asserting that drawings figures 47 and 48 were in fact included with the papers at the time of filing of the instant application. A copy of that Notice is included with this Petition.

The undersigned Agent, Mr. Christopher J. Whewell, had included a full set of hand-drawn (informal) drawings, securely fastened and double-checked by his secretary, to the original specification in this case, as-filed. In addition to the full set of drawings, there were also submitted in the same envelope as the original specification, an auxiliary set of computer-generated drawings, which

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were referred to in the Transmittal Cover Letter in this case, and viewable on the PAIR system. In a telephone conversation with the OIPE on 09/28/04, the undersigned Agent learned that the Office or its contract personnel had, for whatever reason, chosen to scan the auxiliary drawings into the PAIR system, and not the full set of informal drawings which were attached to the specification. Thus, we believe this led the OIPE to conclude that certain drawings sheets were missing.

The conclusion of the undersigned Agent is that original drawings figures 47 and 48 are in the possession of the Office, in its paper records. Therefore, it is respectfully requested that Office Personnel locate the instant specification and scan into the PAIR system those drawings which were originally affixed to the Specification in this case.

In a sense, the delay in the examination of this case caused by the scanning of drawings which were not affixed to the specification is a moot point, since figures 47 and 48 were also included in the provisional application in this case, which was incorporated by reference into the instant specification. Further, the written description of figures 47 and 48 in the instant Specification is such that admission of figures 47 and 48 after the filing date of the instant application would not constitute new matter.

I bring this to the attention of the Commissioner in an effort to assist in increasing quality of PTO service, by avoiding this situation in the future, through my suggestion that for non-provisional applications which at first appear to be missing one or more drawings sheets and which also claim priority to and incorporate by reference a provisional application containing those same drawings, that the OIPE procedure could be modified to first check the parent provisional case for the drawings which appear on their face to be absent from the non-provisional application.

Applicants therefore respectfully request the USPTO to re-examine the original papers filed in this case. I also believe that the informal drawings I originally affixed to the specification will be found useful by the examiner, and I would like for you to scan them into the PAIR system as well.

The Commissioner of Patents and Trademarks is hereby authorized to charge the fee for this petition under 37 CFR 1.17(h) of \$ 130 to Deposit Account 500818 and to credit any refund due in connection herewith thereto.

We are grateful for your consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Chris Whewell". The signature is fluid and cursive, with the first name "Chris" and last name "Whewell" clearly distinguishable.

Christopher J. Whewell, Reg. No. 37,469
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